

10/549951  
MAR 07 Rec'd PCTA 10 01 MAR 2006 PCT

In re Application

Inventors: Paul William Richard Harris and Margaret  
Anne Brimble  
Appl. No.: 10/549,951  
Filed: September 20, 2005

PATENT APPLICATION

Art Unit:  
Examiner:

Customer No. 23910

based from:

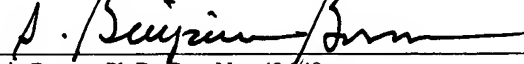
PCT No.: PCT/US2004/008108

Int. Filing Date: March 16, 2004

Title: NEUROPROTECTIVE MACROCYCLIC  
COMPOUNDS AND METHODS FOR THEIR USE

**CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on the date shown below.

 (Attorney Signature)  
D. Benjamin Borson, Ph.D., Reg. No.: 42,849

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENT UNDER 35  
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US0)**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted, dated December 29, 2005, enclosed are the following documents in connection with the above-identified application:

- ☒ Copy of Notification of Missing Requirements Under 35 U.S.C. 371  
-- Filing Date Granted
- ☒ Declaration for Patent Application

✓ Preliminary Amendment

**Small Entity Statement**

✓ Applicant(s) qualify for small entity status under 37 C.F.R. § 1.27.

**Patent Application Filing Fee**

The patent application filing fee (if applicable) is calculated as shown below:

For	Number Filed	Number Extra	Rate Small Entity/Other Than Small Entity	Total
BASIC FILING FEE (37 CFR 1.16(a))			\$150.00 \$300.00	Pre paid
SEARCH FEE			\$250.00 \$500.00	\$250.00
EXAMINATION FEE			\$100.00 \$200.00	\$100.00
TOTAL CLAIMS (37 CFR 1.16(c))	<u>33</u> - 20	<u>13</u> *	X \$ 25.00 X \$ 50.00	\$325.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	<u>8</u> - 3	<u>5</u> *	X \$ 100.00 X \$ 200.00	\$500.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS (37 CFR 1.16(d))			+ \$180.00 + \$360.00	\$
UTILITY APPLICATION SIZE FEE (For each additional 50 sheets that exceeds 100 sheets)			+ \$125.00 + \$250.00	\$
			TOTAL	\$1175.00

\*If the difference in column 1 is less than zero, enter "0" in column 2.

**Total Fee**

The Total Fee associated with this communication has been calculated as shown below:

—	Patent search, examination, and claims fee	\$1175.00
—	Assignment recording fee (\$40.00)	\$

✓ Surcharge under 37 C.F.R. §1.16(e) for  
late filing of filing fee or Declaration:  
— Large Entity \$130.00 \$  
✓ Small Entity \$ 65.00 \$65.00

**TOTAL FEE DUE: \$1240.00**

**Method of Payment of Fees**

The Commissioner is hereby authorized to charge any deficiencies or credit  
overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

Date: February 27, 2006

By: 

D. Benjamin Borson, Ph.D.,  
Reg. No.: 42,349

**Customer No. 23910**  
**FLIESLER MEYER LLP**  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone (415) 362-3800



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,951✓	Paul William Richard Harris✓	NRNZ-01048US1✓

INTERNATIONAL APPLICATION NO.
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PCT/US04/08108✓

I.A. FILING DATE	PRIORITY DATE
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03/16/2004✓

03/20/2003✓

23910  
 FLIESLER MEYER, LLP  
 FOUR EMBARCADERO CENTER  
 SUITE 400  
 SAN FRANCISCO, CA 94111

RECEIVED

JAN - 3 2006

FLIESLER MEYER LLP

CONFIRMATION NO. 1343

371 FORMALITIES LETTER



\*OC000000017724818\*

Date Mailed: 12/29/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Small Entity Statement filed on 09/20/2005
- Request for Immediate Examination filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Priority Documents filed on 09/20/2005

Fliesler Meyer LLP

File: NRNZ-01048US1Action Item: missing parts dueDate Due: February 29, 2006Critical Date: June 29, 2006Attorney Path: DBBDocketed By: scbVerified By: mark

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$2400** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$2615** for a Small Entity:

1215

• **\$65 Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

• Total additional claim fee(s) for this application is \$ **2400**

8 2400

- **\$1800** for **18** independent claims over 3.
- **\$600** for **24** total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,951	PCT/US04/08108	NRNZ-01048US1